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RHEBAAA/DEPT OF ENERGY WASHINGTON DC
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DOE FOR CAROLYN GAY

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SUBJECT: ATIKU HEADS TO ELECTIONS, BUT EXPECTS INTERIM GOVERNMENT

REF: ABUJA 748

Classified By: Ambassador John Campbell for reasons 1.4. (b & d).

11. (C) Vice President Atiku Abubakar updated the Ambassador on his view of the state of the nation following the April 14 elections and his victory in the Supreme Court that ensured his place on the Presidential ballot on April 21. Recovering from knee surgery for a torn tendon, he arrived at the Ambassador's residence with extra security and using a crutch. He appeared relaxed but the conversation was sprinkled with many silent pauses. He claimed that his Action Congress (AC) party had actually won 16 governorships last week but said that the elections were "the worse ever in Nigeria" and that "the transition will fail."

12. (C) Atiku was pleased with the Supreme Court decision that ensured his place on the April 21 ballot and said that he was just waiting to see if INEC actually complied. He also commended the Supreme Court and said that he thought it was a surprise to President Obasanjo and INEC Chairman Maurice Iwu. His sources told him that Central Bank of Nigeria (CBN) Governor Charles Soludo advised Iwu to print ballots with Atiku's name, but Iwu responded that President Obasanjo assured him that Atiku would only be on the ballot "over my (Obasanjo's) dead body." Another source, he related, had advised him of his likely victory in court after former Presidential Adviser and current Governor-elect of Anambra state Andy Uba (an American citizen), along with Anambra businessman Emeka Offor, had visited the Chief Justice (CJ) of the Supreme Court to offer him a bribe. His source told him that the CJ had "thrown them out" of the office. According to Atiku, this is when President Obasanjo decided to declare a two-day holiday ahead of last week's election.

13. (C) Atiku claimed that his campaign organization sent a letter to the INEC Chairman to request that he be shown a ballot paper. He said he was not sure if INEC had the time to print new ballots and wanted to see a sample personally. He said the INEC office refused to accept delivery of the letter, but when the IRI observers asked INEC to explain, INEC called and asked him to send a courier. He said he has yet to see the ballot and has heard nothing further from INEC.

14. (C) Atiku said the opposition had followed his lead and decided to contest the election, even though they expect

"more rigging than last week." According to him, ANPP candidate Muhammadu Buhari had suggested a boycott, but came around to Atiku's thinking in a series of meetings this week. Atiku claimed that the "entire opposition" had agreed to challenge the Presidential election as soon as possible, primarily on technical grounds. An example, he said, was the illegality of the voters register which was not completed on time and was not displayed according to the law. Atiku claimed to be backing a National Assembly initiative to install an interim government to organize a free election (reftel).

15. (C) COMMENT: While Atiku said he expected "the transition will fail," he seemed hopeful that the legislative maneuvering toward an interim government could salvage the political process and calm the already tense environment in Nigeria. And while his self-serving story of the process leading to the decision is suspect, it seems clear that he and Buhari have at least agreed to file in court to annul whatever results come out of the April 21 process. It is to be hoped that they will both stick only to the courts. As for the proposals of an interim government, it remains to be seen how the results of the April 21 election are received, how the Supreme Court rules on any challenges, and what the popular response might be. While Atiku talked only of legal challenges to a flawed April 21 election, his inner circle has dropped hints of "taking to the streets," as have other opposition figures. "Peaceful" demonstrations in Nigeria often start that way but can turn violent.
CAMPBELL